

Notice of Allowability

Application No.

10/695,726

Examiner

Karla Moore

Applicant(s)

DANDO ET AL.

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1763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 28 February 2007.
2. ☒ The allowed claim(s) is/are 26-33,36-43,46-49,51-53 and 56-71.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 0207
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 28 February 2007 has been entered.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 28 February 2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner

Allowable Subject Matter

3. Claims 26-33, 36-43, 46-49, 51-53 and 56-71 are allowed.

4. The following is an examiner's statement of reasons for allowance: The prior art of record fails to teach or fairly suggest the liner apparatus forming a deposition subchamber within the chamber, at least a portion of the chamber liner apparatus selectively movable to fully expose the passageway to the chamber and to fully cover the passageway from the chamber and to form a gas-tight seal between the passageway and the chamber, said portion of the chamber liner apparatus comprising opposing wall sections having inner face portions in at least one cross section and a base extending from and received between the opposing sidewall inner face portions in said at least one cross section (claim 26 and its dependent claims). The prior

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art of record further fails to teach or fairly suggest the liner apparatus having a substrate opening therethrough, the liner apparatus being mounted for movement to a first position in which the opening is aligned with the passageway and to a second position in which the opening is not aligned with the passageway, the second position fully covering the passageway from the chamber with the liner apparatus and forming a gas tight seal between the passageway and the chamber (claims 33, 43 and 59 and their dependent claims). The prior art of record further fails to teach or fairly suggest a chemical vapor deposition apparatus comprising a chamber liner apparatus selectively movable to fully expose and to fully cover a passageway to a chamber, the liner having inner face portions and a base extending from and received between the opposing sidewall portions; and a movable substrate platform supported by and underside shaft, the base being received below the platform about the shaft (claims 53 and 59 and their dependent claims). No other prior art was located to supply the aforementioned teachings/structures along with the requisite motivation for combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Publication No. 2004/0149214 A1 discloses a vacuum processing apparatus comprising a chamber liner with a movable portion capable of forming a gas-tight seal. However, the movable portion is not configured as claimed..

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karla Moore whose telephone number is 571.272.1440. The examiner can normally be reached on Monday-Friday, 8:30am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on 571.272.1435. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Karla Moore
Primary Examiner
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10 June 2007